

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

In re: CHARLIE C. HENRY, JR. & DELORES I. HENRY

Chapter 13

Case No.: 07-60366-WA4

Debtor(s)


TRUSTEE'S MOTION TO DISMISS OR CONVERT AND NOTICE OF HEARING

NOTICE TO THE ABOVE-NAMED DEBTOR(S) AND COUNSEL:

Payments to the Trustee under the terms of the confirmed plan are in default in the amount of: \$2,065.00 (calculated to the date of hearing); this amount may be reduced by any payments received by the Trustee's office prior to the date of hearing on this motion. Pursuant to 11 U.S.C. § 1307, the Trustee moves to dismiss this case or convert this case to Chapter 7. Please take notice that if the hearing date scheduled below is continued or rescheduled, and if the debtor fails to make timely plan payments to the Trustee following the date noticed below, the Trustee will request dismissal or conversion on the continued or rescheduled hearing date.

WHEREFORE, based on the foregoing, pursuant to 11 U.S.C. § 1307, the Trustee moves that this case be dismissed.

Rebecca B. Connelly, Trustee
P.O. Box 1001
Roanoke, VA 24005
(540) 342-3774


Rebecca B. Connelly
Pamela F. Logan, Counsel

NOTICE IS HEREBY GIVEN TO THE DEBTOR(S) THAT: YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with your attorney, if you have one. If you do not have an attorney, you may wish to consult one.

Unless you file with the Office of the Clerk a written response to this Motion at least 7 days before the hearing described below, the Trustee may oppose any request for a continuance and will ask that the Court dismiss your case. Further, any motions you may wish to file **MUST** be filed at least 7 days prior to the date of hearing on this motion, and noticed for hearing. If you do not take these steps, the Court may decide that you do not oppose the dismissal of your case.

NOTICE OF HEARING

Notice is hereby given to the debtor(s) and to debtors' counsel that HEARING WILL BE HELD ON THIS MOTION ON **Wednesday, October 6, 2010** at **10:00 am** or as soon thereafter as the parties may be heard before the Honorable William E. Anderson, Bankruptcy Judge, at the United States Bankruptcy Court, 3rd Flr Courtroom, US Courthouse 700 Main St. Danville, VA 24541.

Hearing on said motion may be rescheduled from time to time in open court without further written notice.

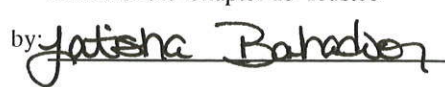
Dated:

8.17.10


Rebecca B. Connelly
Pamela F. Logan, Counsel

CERTIFICATE OF SERVICE

I certify that on the 17 day of Aug., 2010, I mailed a copy of the foregoing to the debtor(s) at their last known address appearing on the mailing matrix and counsel for the debtor(s).

Office of the Chapter 13 Trustee
by: 

07-60366

CHARLIE C. HENRY, JR. (XXX-XX-6645)

\$423.00 MO

DELORES I. HENRY (XXX-XX-3982)

Bar Date: 7/17/2007 (has passed) 9/3/2

Attorney: COX LAW GROUP, PLLC

Confirmed: 6/14/2007 Bar Check is YES

Case Status: Active (6/14/2012)

CHARLIE C. HENRY, JR. paying \$423.00 MONTHLY

Adequate Protection:

Receipts		Receipts/Debtor Refunds		Disbursements		Adjustments		Trustee Disbursements		Trustee Adjustments	
Start	End	Post Code	State Dated	Stop Payment	All IDs	Cancelled	Voided	All Names	Payee Name	Receipts	Excluded
Check Status:		Cleared	State Dated	Stop Payment	Cancelled	Voided	All Names	Payee Name	Receipts	Excluded	
Date	Payee / Batch	Payee / Reserve Name	Check / Source	Description							
5/5/2010	106875		625086504	MONEY ORDER/PAYMENT TO DEBTOR ACCT						\$50.00	
2/24/2010	106501		14036326426	MONEY ORDER/PAYMENT TO DEBTOR ACCT						\$100.00	
2/23/2010	106484			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
1/5/2010	106230			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
12/29/2009	106195			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
12/29/2009	106202			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
12/17/2009	106147			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
12/9/2009	106099			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
12/8/2009	106091			EMPLOYER CHECK/10 DAY HOLD						\$200.00	
12/1/2009	106045			EMPLOYER CHECK/10 DAY HOLD						\$100.00	
11/18/2009	106008			EMPLOYER CHECK/10 DAY HOLD						\$700.00	
10/15/2009	105798			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
9/23/2009	105670			EMPLOYER CHECK/10 DAY HOLD						\$300.00	
9/1/2009	105538			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
8/4/2009	105369			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
7/7/2009	105215			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
5/27/2009	104996			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
4/21/2009	104806			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
4/1/2009	104675			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
2/24/2009	104494			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
2/11/2009	104416			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
12/29/2008	104153			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
11/21/2008	103974			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
10/21/2008	103811			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
9/19/2008	103650			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
8/13/2008	103436			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
7/22/2008	103325			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
6/23/2008	103161			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
5/14/2008	102956			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
4/16/2008	102811			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
3/18/2008	102649			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
2/13/2008	102471			EMPLOYER CHECK/10 DAY HOLD						\$400.00	
1/15/2008	102320			EMPLOYER CHECK/10 DAY HOLD						\$300.00	
12/12/2007	102163			EMPLOYER CHECK/10 DAY HOLD						\$500.00	
11/14/2007	102020			EMPLOYER CHECK/10 DAY HOLD						\$400.00	

9/11/2007	101699	E&M EXPRE 90062	EMPLOYER CHECK/10 DAY HOLD	\$500.00	
8/15/2007	101579	E&M EXPRE 90009	EMPLOYER CHECK/10 DAY HOLD	\$400.00	
7/16/2007	101412	E&M EXPRE 89944	EMPLOYER CHECK/10 DAY HOLD	\$346.16	
7/3/2007	101332	863940	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$76.92	
6/25/2007	101294	858922	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$76.92	
6/18/2007	101255	E & M Exp 89885	EMPLOYER CHECK/10 DAY HOLD	\$100.00	
6/1/2007	101173	859105	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$200.00	
5/15/2007	101074	9103003965	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$200.00	
4/26/2007	100966	93220331668	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$50.00	
4/20/2007	100930	93220331220	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$50.00	
4/12/2007	100879	93220325796	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$50.00	
4/2/2007	100819	93220330274	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$25.00	
3/26/2007	100726	93220329870	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$25.00	
3/20/2007	100742	487923246	MONEY ORDER/PAYMENT TO DEBTOR ACCT	\$100.00	
Totals:				\$14,550.00	\$0.00